

award of a contract under subsection (d)) after “law”; and

(2) by adding at the end the following new subsection:

“(d) In order to meet surge capacity needs, the Secretary of the Navy may solicit proposals and award one or more contracts for the overhaul, repair, or maintenance of one or more naval vessels involving work to be performed in an area outside the area of the homeport of the vessel or vessels concerned.”.

SA 4033. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ . COREY ADAMS GREEN ALERT SYSTEMS TECHNICAL ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) GREEN ALERT.—The term “Green Alert” means an alert issued through the Green Alert communications network, relating to a missing veteran.

(2) MISSING VETERAN.—The term “missing veteran” means an individual who—

(A) is reported to, or identified by, a law enforcement agency as a missing person;

(B) is a veteran; and

(C) meets the requirements to be designated as a missing veteran, as determined by the State in which the individual is reported or identified as a missing person.

(3) STATE.—The term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(4) VETERAN.—The term “veteran” means an individual who is a current or former member of the Armed Forces, including an individual who is currently serving or formerly served in a reserve component (including the National Guard).

(b) FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall provide financial and technical assistance to a State that has established or has under consideration legislation to establish a Green Alert or other system specifically dedicated to locating missing veterans, to help ensure the effective use of those systems to successfully find and recover missing veterans.

(c) CONTENT OF ASSISTANCE.—Such assistance shall include—

(1) helping the State develop, revise, or update criteria for issuing such alerts, including on when to issue such alerts, training to provide to law enforcement on interacting with veterans and provide recommendations on how best to protect the privacy, dignity, and independence of veterans who are the subject of such alerts;

(2) providing assistance to the State on protecting the privacy of veterans, including sensitive medical information, as such alerts are issued;

(3) designating officials to serve or participate on any advisory committees established by the State or local governments to provide oversight of Green Alert systems dedicated to finding missing veterans;

(4) for those veterans recovered by such systems, helping ensure such veterans are

connected to any services provided by the Department of Veterans Affairs or the Department of Defense to which they are entitled as a result of their service in the Armed Forces, including housing and health care;

(5) providing public education on these systems to military or veteran communities in such States, including on facilities of the Department of Veterans Affairs or the Department of Defense located in such States;

(6) supporting efforts to train State and local law enforcement who issue such alerts and search for missing veterans on the unique needs of veterans; and

(7) ensuring officials of the Department of Veterans Affairs or the Department of Defense in such States are aware of Green Alerts, understand how they work, and integrate them with any plan for locating missing veterans at a base or facility of the Department of Veterans Affairs or the Department of Defense.

(d) USE OF EXISTING MECHANISMS.—To the maximum extent possible, the Secretary of Defense and the Secretary of Veterans Affairs shall use existing mechanisms, including advisory committees and programs, to meet the requirements of this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$2,000,000 for fiscal year 2022 to carry out this section.

(f) OFFSET.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby decreased by \$2,000,000, with the amount of the decrease to be taken from the availability of amounts for the Office of Secretary of Defense.

SA 4034. Ms. BALDWIN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, after the item relating to PLS ESP, insert a new item relating to “Hvy Expanded Mobile Tactical Truck Ext Serv” with “109,000” in the Senate Authorized column.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate Authorized column and insert “8,989,492”.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate Authorized column and insert “144,163,529”.

In the funding table in section 4301 relating to Afghan National Army, in the item relating to Sustainment, strike the amount in the Senate Authorized column and insert “944,668”.

In the funding table in section 4301, in the item relating to Subtotal Afghan National Army, strike the amount in the Senate Authorized column and insert “1,001,234”.

In the funding table in section 4301, in the item relating to Total Afghan Security Forces Fund, strike the amount in the Senate Authorized column and insert “3,218,810”.

In the funding table in section 4301, in the item relating to Total Operation and Maintenance, strike the amount in the Senate Authorized column and insert “260,462,205”.

SA 4035. Ms. BALDWIN submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle F—Made in America Shipbuilding Act of 2021

SEC. 861. SHORT TITLE.

This subtitle may be cited as the “Made in America Shipbuilding Act of 2021”.

SEC. 862. DOMESTIC SHIPBUILDING REQUIREMENT.

(a) IN GENERAL.—The head of an executive agency may not enter into a contract related to the acquisition, construction, or conversion of a vessel unless the vessel is to be constructed or converted in the United States.

(b) EXECUTIVE AGENCY DEFINED.—In this section, the term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

SEC. 863. DOMESTIC SOURCING REQUIREMENT FOR SHIPBOARD COMPONENTS.

(a) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

“§4715. Domestic sourcing requirement for shipboard components

“(a) REQUIREMENT FOR UNITED STATES MANUFACTURE.—

“(1) LIMITATION ON PROCUREMENTS.—The head of an executive agency may procure any of the following components for vessels only if the items are manufactured in the United States:

“(A) IN GENERAL.—The following components for vessels:

“(i) Air circuit breakers.

“(ii) Welded shipboard anchor and mooring chain with a diameter of four inches or less.

“(iii) Auxiliary equipment, including pumps, for all shipboard services.

“(iv) Propulsion system components, including main propulsion engines, hybrid drive systems, propulsion shafting, engine crankshafts, reduction gears, and propellers.

“(v) Shipboard cranes.

“(vi) Spreaders for shipboard cranes.

“(vii) Power Distribution equipment, Energy Store Systems, energy storage/magazine equipment.

“(viii) Auxiliary propulsion units and systems, including bow and tunnel thrusters, waterjets, dynamic positioning systems, and hybrid propulsion systems.

“(ix) Ship service and emergency power generation equipment (prime movers and generators).

“(x) Military Qualified Wire and Cable and derived products.

“(xi) Specialized Valves for pneumatic, fuel, firefighting, countermeasure wash down, and chilled water systems.

“(xii) Low voltage (LV) and high voltage (HV) switchgear.

“(xiii) Power converters.

“(xiv) Power inverters.

“(xv) Frequency converters.

“(xvi) Aircraft Electrical Starting Stations (AESS).

“(xvii) Degaussing systems.

“(xviii) Static Automatic Bus Transfer Switches (SABTs).

“(xix) Inertial navigation systems and gyrocompass.

“(xx) Capstans.

“(xxi) Winches.

“(xxii) Hoists.

“(xxiii) Outboard motors.

“(xxiv) Windlasses.

“(B) OTHER COMPONENTS.—The following components of vessels, to the extent they are unique to marine applications: gyrocompasses, electronic navigation chart systems, steering controls, pumps, propulsion and machinery control systems, and totally enclosed lifeboats.

“(C) VALVES AND MACHINE TOOLS.—Items in the following categories:

“(i) Powered and non-powered valves in Federal Supply Classes 4810 and 4820 used in piping for naval surface ships and submarines.

“(ii) Machine tools in the Federal Supply Classes for metal-working machinery numbered 3405, 3408, 3410 through 3419, 3426, 3433, 3438, 3441 through 3443, 3445, 3446, 3448, 3449, 3460, and 3461.

“(2) APPLICABILITY TO CERTAIN ITEMS.—Paragraph (1) does not apply to a procurement of spare or repair parts needed to support components for vessels produced or manufactured outside the United States.

“(3) WAIVER AUTHORITY.—The head of an executive agency may waive the limitation in paragraph (1) with respect to the procurement of an item listed in that paragraph if the head of the agency determines that any of the following apply:

“(A) Application of the limitation would increase the cost of the overall acquisition by more than 25 percent or cause unreasonable delays to be incurred.

“(B) Satisfactory quality items manufactured by a domestic entity are not available or domestic production of such items cannot be initiated without significantly delaying the project for which the item is to be acquired.

“(C) Application of the limitation would result in the existence of only one domestic source for the item.

“(D) Application of the limitation is not in the national security interests of the United States.

“(4) IMPLEMENTATION OF WAIVER AUTHORITY.—

“(A) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the waiver authority under paragraph (3).

“(B) PUBLICATION.—Not later than 30 days after exercising the waiver authority under paragraph (3), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the waiver, including a detailed justification for the waiver.

“(5) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has used a waiver described in this section in the fiscal year shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the total amount of waivers used and detailed information regarding and justification for the waiver.

“(b) COMPONENTS CONTAINING SPECIALTY METALS.—

“(1) LIMITATION ON PROCUREMENTS.—The head of an executive agency may not enter into a contract for the procurement of end items or components for ships that contain a specialty metal not melted or produced in the United States.

“(2) AVAILABILITY EXCEPTION.—

“(A) IN GENERAL.—Paragraph (1) does not apply to the extent that the head of an executive agency determines that compliant specialty metal of satisfactory quality and sufficient quantity, and in the required form, cannot be procured as and when needed. For purposes of the preceding sentence, the term ‘compliant specialty metal’ means specialty

metal melted or produced in the United States.

“(B) APPLICABILITY.—This paragraph applies to prime contracts and subcontracts at any tier under such contracts.

“(3) EXCEPTION FOR CERTAIN ACQUISITIONS.—Paragraph (1) does not apply to the following:

“(A) Acquisitions outside the United States in support of combat operations or in support of contingency operations.

“(B) Acquisitions for which the use of procedures other than competitive procedures has been approved on the basis of section 3304(c) of this title, relating to unusual and compelling urgency of need.

“(4) EXCEPTION RELATING TO AGREEMENTS WITH FOREIGN GOVERNMENTS.—Paragraph (1) does not preclude the acquisition of a specialty metal if—

“(A) the acquisition is necessary—

“(i) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

“(ii) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; and

“(B) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of title 10.

“(5) EXCEPTION FOR SMALL PURCHASES.—Paragraph (1) does not apply to acquisitions in amounts not greater than the simplified acquisition threshold referred to in section 134 of this title.

“(6) EXCEPTION FOR PURCHASES OF ELECTRONIC COMPONENTS.—Paragraph (1) does not apply to acquisitions of electronic components, unless the head of the agency, with the concurrence of the Secretary of Defense and upon the recommendation of the Strategic Materials Protection Board pursuant to section 187 of title 10, determines that the domestic availability of a particular electronic component is critical to national security.

“(7) APPLICABILITY TO ACQUISITIONS OF COMMERCIAL ITEMS.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), this section applies to acquisitions of commercial items, notwithstanding sections 1906 and 1907 of this title.

“(B) EXCEPTIONS.—This section does not apply to contracts or subcontracts for the acquisition of commercially available off-the-shelf items, as defined in section 104 of this title, other than—

“(i) contracts or subcontracts for the acquisition of specialty metals, including mill products, such as bar, billet, slab, wire, plate and sheet, that have not been incorporated into end items, subsystems, assemblies, or components;

“(ii) contracts or subcontracts for the acquisition of forgings or castings of specialty metals, unless such forgings or castings are incorporated into commercially available off-the-shelf end items, subsystems, or assemblies;

“(iii) contracts or subcontracts for commercially available high performance magnets unless such high performance magnets are incorporated into commercially available off-the-shelf end items or subsystems; and

“(iv) contracts or subcontracts for commercially available off-the-shelf fasteners, unless such fasteners are—

“(I) incorporated into commercially available off-the-shelf end items, subsystems, assemblies, or components; or

“(II) purchased as provided in subparagraph (C).

“(C) INAPPLICABILITY TO CERTAIN FASTENERS.—This subsection does not apply to fasteners that are commercial items that are purchased under a contract or subcontract with a manufacturer of such fasteners, if the manufacturer has certified that it will purchase, during the relevant calendar year, an amount of domestically melted specialty metal, in the required form, for use in the production of such fasteners for sale to executive agencies and other customers, that is not less than 50 percent of the total amount of the specialty metal that it will purchase to carry out the production of such fasteners.

“(8) EXCEPTIONS FOR PURCHASES OF SPECIALTY METALS BELOW MINIMUM THRESHOLD.—

“(A) IN GENERAL.—Notwithstanding paragraph (1), the head of an executive agency may accept delivery of an item containing specialty metals that were not melted in the United States if the total amount of non-compliant specialty metals in the item does not exceed 2 percent of the total weight of specialty metals in the item.

“(B) EXCEPTION.—This paragraph does not apply to high performance magnets.

“(9) STREAMLINED COMPLIANCE FOR COMMERCIAL DERIVATIVE MILITARY ARTICLES.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to an item acquired under a prime contract if the head of an executive agency determines that—

“(i) the item is a commercial derivative military article; and

“(ii) the contractor certifies that the contractor and its subcontractors have entered into a contractual agreement, or agreements, to purchase an amount of domestically melted specialty metal in the required form, for use during the period of contract performance in the production of the commercial derivative military article and the related commercial article, that is not less than the greater of—

“(I) an amount equivalent to 120 percent of the amount of specialty metal that is required to carry out the production of the commercial derivative military article (including the work performed under each subcontract); or

“(II) an amount equivalent to 50 percent of the amount of specialty metal that is purchased by the contractor and its subcontractors for use during such period in the production of the commercial derivative military article and the related commercial article.

“(B) DETERMINATION OF AMOUNT OF SPECIALTY METAL REQUIRED.—For the purposes of this paragraph, the amount of specialty metal that is required to carry out the production of the commercial derivative military article includes specialty metal contained in any item, including commercially available off-the-shelf items, incorporated into such commercial derivative military article.

“(10) NATIONAL SECURITY WAIVER.—

“(A) IN GENERAL.—Notwithstanding paragraph (1), the head of an executive agency may accept the delivery of an end item containing noncompliant materials if the head of the executive agency determines in writing that acceptance of such end item is necessary to the national security interests of the United States.

“(B) REQUIREMENTS.—A written determination under subparagraph (A)—

“(i) shall specify the quantity of end items to which the waiver applies and the time period over which the waiver applies; and

“(ii) shall be provided to Congress prior to making such a determination (except that in

the case of an urgent national security requirement, such certification may be provided to Congress up to 7 days after it is made).

“(C) KNOWING OR WILLFUL NONCOMPLIANCE.—

“(i) DETERMINATION.—In any case in which the head of an executive agency makes a determination under subparagraph (A), the head of the executive agency shall determine whether or not the noncompliance was knowing and willful.

“(ii) NOT KNOWING OR WILLFUL NONCOMPLIANCE.—If the head of the executive agency determines that the noncompliance was not knowing or willful, the head of the executive agency shall ensure that the contractor or subcontractor responsible for the noncompliance develops and implements an effective plan to ensure future compliance.

“(iii) KNOWING OR WILLFUL NONCOMPLIANCE.—If the head of the executive agency determines that the noncompliance was knowing or willful, the head of the executive agency shall—

“(I) require the development and implementation of a plan to ensure future compliance; and

“(II) consider suspending or debarring the contractor or subcontractor until such time as the contractor or subcontractor has effectively addressed the issues that lead to such noncompliance.

“(11) SPECIALTY METAL DEFINED.—In this subsection, the term ‘specialty metal’ means any of the following:

“(A) Steel—

“(i) with a maximum alloy content exceeding one or more of the following limits: manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or

“(ii) containing more than 0.25 percent of any of the following elements: aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, or vanadium.

“(B) Metal alloys consisting of nickel, iron-nickel, and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 percent.

“(C) Titanium and titanium alloys.

“(D) Zirconium and zirconium base alloys.

“(12) ADDITIONAL DEFINITIONS.—In this subsection:

“(A) The term ‘United States’ includes possessions of the United States.

“(B) The term ‘component’ has the meaning provided in section 105 of this title.

“(C) The term ‘acquisition’ has the meaning provided in section 131 of this title.

“(D) The term ‘required form’—

“(i) shall not apply to end items or to their components at any tier; and

“(ii) means in the form of mill product, such as bar, billet, wire, slab, plate or sheet, and in the grade appropriate for the production of—

“(I) a finished end item delivered to the executive agency; or

“(II) a finished component assembled into an end item delivered to the executive agency.

“(E) The term ‘commercially available off-the-shelf’ has the meaning provided in section 104 of this title.

“(F) The term ‘assemblies’ means items forming a portion of a system or subsystem that can be provisioned and replaced as an entity and which incorporates multiple, replaceable parts.

“(G) The term ‘commercial derivative military article’ means an item procured by the Department of Defense that is or will be produced using the same production facilities, a common supply chain, and the same or similar production processes that are used for the production of articles predominantly used by the general public or by nongovern-

mental entities for purposes other than governmental purposes.

“(H) The term ‘subsystem’ means a functional grouping of items that combine to perform a major function within an end item, such as electrical power, attitude control, and propulsion.

“(I) The term ‘end item’ means the final production product when assembled or completed, and ready for issue, delivery, or deployment.

“(J) The term ‘subcontract’ includes a subcontract at any tier.

“(c) USE OF UNITED STATES STEEL, IRON, ALUMINUM, AND MANUFACTURED PRODUCTS.—

“(1) IN GENERAL.—The head of an executive agency may not enter into a contract related to the construction of a vessel unless the steel, iron, aluminum, and manufactured products to be used in the construction of the vessel are produced in the United States.

“(2) EXCEPTIONS.—The provisions of paragraph (1) shall not apply where the head of an executive agency finds—

“(A) that their application would be inconsistent with the public interest;

“(B) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(C) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

“(3) IMPLEMENTATION OF EXCEPTIONS.—

“(A) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the authority to make a finding described in paragraph (2).

“(B) PUBLICATION.—Not later than 30 days after making a finding described in paragraph (2), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the finding, including a detailed justification for the exception.

“(4) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has made an exception finding described in paragraph (2) in the fiscal year shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the total amount of exceptions used and detailed information regarding and justification for the exceptions.

“(5) CALCULATION OF COMPONENT COST.—For purposes of this subsection, in calculating components’ costs, labor costs involved in final assembly shall not be included in the calculation.

“(6) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

“(A) affixed a label bearing a ‘Made in America’ inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

“(B) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States,

that person shall be debarred from contracting with the Federal Government for a period of not less than 5 years.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 4714 the following new item:

“4715. Domestic sourcing requirement for shipboard components.”.

SEC. 864. CONFORMING AMENDMENTS RELATED TO DEPARTMENT OF DEFENSE PROVISIONS.

(a) USE OF UNITED STATES STEEL, IRON, ALUMINUM, AND MANUFACTURED PRODUCTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2339d. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding

“(a) IN GENERAL.—The head of an agency may not enter into a contract related to the construction of a vessel unless the steel, iron, aluminum, and manufactured products to be used in the construction of the vessel are produced in the United States.

“(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply where the head of the agency finds—

“(1) that their application would be inconsistent with the public interest;

“(2) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(3) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

“(c) IMPLEMENTATION OF EXCEPTIONS.—

“(1) NON-DELEGATION OF AUTHORITY.—The head of an agency may not delegate the authority to make a finding described in subsection (b).

“(2) PUBLICATION.—Not later than 30 days after making a finding described in subsection (b), the head of the agency shall publish in an easily identifiable location on the website of the agency information regarding the finding, including a detailed justification for the exception.

“(d) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the head of each executive agency that has made an exception finding described in subsection (b) in the fiscal year shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total amount of exceptions used and detailed information regarding and justification for the exceptions.

“(e) CALCULATION OF COMPONENT COST.—For purposes of this section, in calculating components’ costs, labor costs involved in final assembly shall not be included in the calculation.

“(f) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

“(1) affixed a label bearing a ‘Made in America’ inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

“(2) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States, that person shall be debarred from contracting with the Federal Government for a period of not less than 5 years.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2339c the following new item:

“2339d. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding.”.

(3) FUTURE TRANSFER.—

(A) TRANSFER AND REDESIGNATION.—Section 2339d of title 10, United States Code, as added by paragraph (1), is transferred to subchapter II of chapter 385 of such title, added after section 4864, as transferred and redesignated by section 1870(c)(2) of the William M.

(Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), and redesignated as section 4865.

(B) CLERICAL AMENDMENTS.—

(i) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of subchapter II of chapter 385 of title 10, United States Code, as added by section 1870(c)(2) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), is amended by inserting after the item related to section 4864 the following new item:

“4865. Use of United States steel, iron, aluminum, and manufactured products in shipbuilding.”.

(ii) ORIGIN CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning of chapter 137 of title 10, United States Code, as amended by paragraph (1), is further amended by striking the item relating to section 2339d.

(D) EFFECTIVE DATE.—The transfer, redesignation, and amendments made by this paragraph shall take effect immediately after title XVIII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) takes effect.

(E) REFERENCES; SAVINGS PROVISION; RULE OF CONSTRUCTION.—Sections 1883 through 1885 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) shall apply with respect to the transfers, redesignations, and amendments made under this subsection as if such transfers, redesignations, and amendments were made under title XVIII of such Act.

(b) MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.—

(1) IN GENERAL.—Section 2534(a)(3)(A) of title 10, United States Code, is amended by adding at the end the following new clauses:

- “(i) Air circuit breakers.
- “(ii) Welded shipboard anchor and mooring chain with a diameter of four inches or less.
- “(iii) Auxiliary equipment, including pumps, for all shipboard services.
- “(iv) Propulsion system components, including main propulsion engines, hybrid drive systems, propulsion shafting, engine crankshafts, reduction gears, and propellers.
- “(v) Shipboard cranes.
- “(vi) Spreaders for shipboard cranes.
- “(vii) Power Distribution equipment, Energy Store Systems, energy storage/magazine equipment.
- “(viii) Auxiliary propulsion units and systems, including bow and tunnel thrusters, waterjets, dynamic positioning systems, and hybrid propulsion systems.
- “(ix) Ship service and emergency power generation equipment (prime movers and generators).
- “(x) Military Qualified Wire and Cable and derived products.
- “(xi) Specialized Valves for pneumatic, fuel, firefighting, countermeasure wash down, and chilled water systems.
- “(xii) Low voltage (LV) and high voltage (HV) switchgear.
- “(xiii) Power converters.
- “(xiv) Power inverters.
- “(xv) Frequency converters.
- “(xvi) Aircraft Electrical Starting Stations (AESS).
- “(xvii) Degaussing systems.
- “(xviii) Static Automatic Bus Transfer Switches (SABTs).
- “(xix) Inertial navigation systems and gyrocompass.
- “(xx) Capstans.
- “(xxi) Winches.
- “(xxii) Hoists.
- “(xxiii) Outboard motors.

“(xxiv) Windlasses.”.

(2) APPLICABILITY OF PREVIOUSLY SUNSETTED PROVISIONS.—Subsection (c)(2)(C) of section 2534 of title 10, United States Code, is amended by striking “shall cease to be effective on October 1, 1996” and inserting “shall be in effect during—

“(i) the period beginning on the date of the enactment of this paragraph and ending on October 1, 1996; and

“(ii) the period beginning on the date of the enactment of the Made in America Shipbuilding Act of 2021.”.

SEC. 865. APPLICABILITY.

The requirements under this subtitle and the amendments made by this subtitle—

(1) apply to contracts entered into on or after the date of the enactment of this Act; and

(2) do not apply to—

(A) contracts entered into before the date of the enactment of this Act; or

(B) options included as part of such contracts as of such date of enactment.

SA 4036. Ms. BALDWIN (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 596. WHISTLEBLOWER PROTECTIONS FOR MEMBERS OF THE RESERVE COMPONENTS.

Section 1034(j) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this section, the following new paragraph:

“(1) The term ‘member of the armed forces’ is defined as an officer or enlisted member of the armed forces on active duty, or an officer or enlisted member of a reserve component of the armed forces, regardless of duty status, as those terms are defined in section 101 of title 10, United States Code.”.

SA 4037. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEMBERS PERFORMING ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY TOWARDS AUTHORIZED END STRENGTHS.

Section 115(b)(2)(B) of title 10, United States Code, is amended by striking “1095 days in the previous 1460 days” and inserting “1825 days in the previous 2190 days”.

SA 4038. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1043. HONORING THE LAST SURVIVING MEDAL OF HONOR RECIPIENT OF WORLD WAR II.

(a) USE OF ROTUNDA.—The individual who is the last surviving recipient of the Medal of Honor for acts performed during World War II shall be permitted to lie in state in the rotunda of the Capitol upon death, if the individual (or the next of kin of the individual) so elects.

(b) IMPLEMENTATION.—The Architect of the Capitol, under the direction of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take the necessary steps to implement subsection (a).

SA 4039. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 318. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The term ‘State-owned National Guard facility’ means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.”.

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting “and at State-owned National Guard facilities” before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

“(D) Each State-owned National Guard facility being used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.”.

SA 4040. Ms. MURKOWSKI submitted an amendment intended to be proposed